

Claims 1 through 35 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite. Without conceding the propriety of this rejection, and to expedite prosecution, Claims 1, 14, 21, 30 and 36 have been amended to even more clearly recite their subject matter. It is submitted that no new matter has been added by these amendments. Applicants point out that under MPEP 2173.05(e), inherent components of elements recited have antecedent basis in the recitation of the components themselves. Applicants submit that the claims are in compliance with all aspects of Section 112.

Claims 1 through 35 were rejected under 35 U.S.C. § 103 as allegedly obvious over Matsumoto, et al. (U.S.P. 4,860,026) in view of Suzuki (U.S.P. 4,551,736) and Sugimoto, et al. (U.S.P. 5,477,248). Applicants respectfully disagree with this rejection.

Applicants believe it will be helpful to review some features of the present invention. According to the present invention as claimed in independent Claims 1, 14, 21, 30 and 36, the plurality of inks having different dye densities and the same color also have different penetrabilities. Applicants take the position that this feature is not taught or suggested by the cited references.

Matsumoto, et al. discloses a recording apparatus using inks having the same colors and different dye densities (thin, middle and thick).

Suzuki discloses a plurality of inks having the same colors and different dye densities. Suzuki's goal is to reduce the variation in the diameters of ink droplets formed on the recording medium. To attain this purpose, Suzuki defines the viscosity difference among the plural inks having different density.

Sugimoto, et al. relates to the penetrability of ink. The penetrabilities of the inks vary in accordance with their colors. This is intended to prevent blurring, particularly in a light color, such as yellow.

In the present invention, the penetrabilities of inks having the same color and having different dye densities are different. Due to this feature regarding the different penetrabilities, the graininess of images recorded by low dye density ink is reduced, and the vividness of images recorded by high dye density ink is improved.

Applicants take the position that none of Matsumoto, et al., Suzuki and Sugimoto, et al., either singly or in the combinations proposed by the Examiner, discloses or suggests the claimed feature, that is, of the different penetrabilities of inks having different dye densities and the same colors.

Claims 36 through 62 were rejected under 35 U.S.C. § 103 as allegedly obvious over Matsumoto, et al. in view of Suzuki. Applicants respectfully disagree with this rejection.

Claims 37, 53 and 61 recite that the inks having different dye densities and similar colors are divided and held in the same container. Applicants submit that neither of the cited references discloses or teaches that feature, and that they do not render these claims obvious.

Applicants submit that the present invention is patentably defined by the independent claims. The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from their respective independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicants therefore request that all Section 112 and 103 rejections be withdrawn and that the application be passed to allowance.

This Amendment After Final Rejection is an earnest attempt to advance prosecution and reduce the number of issues, and is believed to place this application in condition for allowance. No new claims have been added. Furthermore, Applicants respectfully submit that a full appreciation of these amendments will not require undue time or effort given the Examiner's familiarity with this application. Accordingly, entry of this Amendment under 37 C.F.R. § 1.116 is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington D.C. office by telephone at (202) 530-1010.

All correspondence should continue to be directed to our  
below-listed address.

Respectfully submitted,

Jean K. Dudek  
Attorney for Applicants  
Registration No. 30,938

FITZPATRICK, CELLA, HARPER & SCINTO  
277 Park Avenue  
New York, New York 10172  
Facsimile: (212) 758-2982

F502\W152612\JKD\wpj